

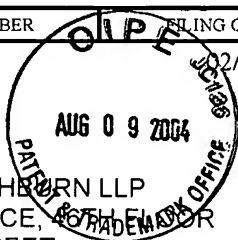


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/775,928	02/10/2004	Wing K. Cheung	JJPR-0048

23377  
 WOODCOCK WASHBURN LLP  
 ONE LIBERTY PLACE, 40TH FLOOR  
 1650 MARKET STREET  
 PHILADELPHIA, PA 19103



CONFIRMATION NO. 1406

## FORMALITIES LETTER



\*OC000000012564415\*

Date Mailed: 05/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts

08/10/2004 DTESSEM1 00000062 10775928

01 FC:1051

130.00 OP

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

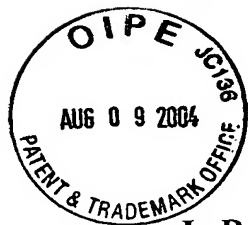
Hanjia  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

DOCKET NO.: JJPR-0048/ORT-980USACON

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

**Wing K. Cheung, Jaya Natarajan, marilyn**

**Sanders, Els Vercamen, Selima Begum**

**and Basant Sharma**

**Confirmation No.: 1406**

**Application No.: 10/775,928**

**Group Art Unit: 1614**

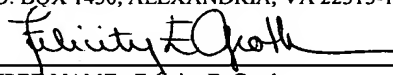
**Filing Date: February 10, 2004**

**Customer No.: 23377**

**For: Pharmaceutical Compositions Of Erythropoitin**

DATE OF DEPOSIT: August 6, 2004

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

  
TYPED NAME: Felicity E. Groth  
REGISTRATION NO.: 47,042

**MS MISSING PARTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND  
REQUEST FOR EXTENSION OF TIME**

In response to the "Notice to File Missing Parts of Application--Filing Date Granted" dated May 7, 2004, which sets forth a two-month period for reply ending on July 7, 2004, (said period being eligible for extensions under 37 CFR § 1.136(a)), enclosed herewith for filing is:

08/10/2004 DTESSEM1 00000062 10775928

02 FC:1251

110.00 0P

**Declarations and Powers of Attorney**

- ☒ A Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document was attached to the above-identified specification.
- ☐ A Combined Declaration and Power of Attorney executed by the inventor(s) and identifying fewer/more inventors than those identified in the unexecuted declaration filed with the above-identified application specification. Such deletion/addition of inventors is specifically provided for in 37 CFR § 1.48.
- ☐ A copy of the original Declaration and Power of Attorney, executed by the inventor(s), as filed in parent application no. .
- ☐ A copy of the Power of Attorney with Revocation filed on .
- ☐ A Combined Power of Attorney with Revocation and Statement Under 3.73(b).
- ☐ An Associate Power of Attorney executed by who is/was listed on the original Declaration/Power of Attorney.

**Drawings**

- ☐ sheets of replacement drawings comprising Figures in compliance with 37 CFR § 1.84.

**Sequence Listing** (Note - All items listed below are required if Sequence Listing is also being filed with Missing Parts)

- ☐ Paper copy of Sequence Listing
- ☐ Diskette containing Sequence Listing in computer readable form
- ☐ Amendment directing entry of Sequence Listing in specification
- ☐ Statement to Support Filing of Sequence Listing

**Claim for Small Entity Status**

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s), by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:
  - ☐ an Independent Inventor
  - ☐ a Small Business Concern
  - ☐ a Nonprofit Organization

**Miscellaneous Items**

- ☒ A copy of the Notice to File Missing Parts.
- ☐ Request for Corrected Filing Receipt.
- ☐ Request for Refund Due to Small Entity Status.
- ☐ Request for Refund Due to Fee Calculation Error.
- ☐ A substitute specification in compliance with 37 CFR § 1.52.
- ☐ Other: .

**Fee Calculation and Extension of Time**

- ☒ Request is hereby made under 37 CFR § 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application due July 7, 2004 to and through Monday, August 9, 2004, comprising an extension of the shortened period of one months:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
MISSING PARTS SURCHARGE	\$65	\$	\$130	\$130.00
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$110.00
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$210	\$	\$420	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$475	\$	\$950	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$740	\$	\$1480	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1005	\$	\$2010	\$
TOTAL FEE DUE		\$		\$240.00

- ☒ A check in amount of \$240.00 is attached to cover the surcharge and any requested extension of time. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

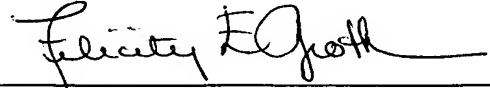
**DOCKET NO.: JJPR-0048/ORT-980USACON- 4 -**

**PATENT**

☒ The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of the fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is provided in duplicate.

This sheet is attached in duplicate.

Date: August 6, 2004



---

Felicity E. Groth  
Registration No. 47,042

Woodcock Washburn LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

© 2004 WW